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BEFORE THE

Federal Communications Commission

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20554

ORIGINAL
FILE

IN THE MATTER OF

Amendments of Parts 2, 21, 25 and
94 of the Commission's Rules to
Accommodate Common Carrier and
Private Op-Fixed Microwave in
Bands Above 3 GHz

RM-8004

TO: THE COMMISSION

REPLY COMMENTS OF CAPITAL CITIES/ABC, INC.

Capital Cities/ABC, Inc. ("Capital Cities/ABC"), by its attorneys, hereby submits its Reply Comments in response to the Petition for Rule Making filed in the above-referenced matter by Alcatel Network Systems, Inc. on May 22, 1992.^{1/} In this reply, Capital Cities/ABC supports those parties^{2/} who oppose Alcatel's petition asking the Commission to reallocate 80 MHz of the 3.7-4.2 GHz band by making the fixed satellite service secondary to the fixed microwave service in that band.

^{1/} The Commission issued a Public Notice on June 2, 1992, soliciting statements and replies to statements on July 2 and July 17 respectively.

^{2/} See e.g. the initial comments of Ge American Communications, Inc.; Hughes Communications, Inc.; GTE Service Corporation; and Home Box Office.

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Currently, the 3.7-4.2 GHz band is shared on a co-primary basis between satellite users and common carrier microwave users.

In effect, Alcatel's proposal would eliminate 16% of the spectrum currently available to domestic C-band satellite users. Capital Cities/ABC agrees with the comments of the satellite operators (GE, Hughes, and GTE) concerning the present and projected heavy use of the available C-band capacity by the domestic satellite industry and the adverse effect that Alcatel's proposal would have on the industry as a whole in terms of hindering the ability to expand satellite networks and develop new video services. In this reply, Capital Cities/ABC wishes to explain its own use of C-band satellites and the likely adverse impact of Alcatel's proposal on its own operations.

Capital Cities/ABC is the owner and operator of the ABC Television Network, eight television stations, and it also has an ownership interest in the ESPN program service. Since the mid-1980's, ABC has used C-band satellites on a full-time basis as the principal means to distribute its network programming to its more than 200 affiliates across the nation. It also uses its full-time C-band satellites to "backhaul" news, sports, and other programming materials from remote locations to its network operations center for subsequent distribution as network programming. In addition to the full-time C-band transponders that ABC uses for its network operations, it often uses C-band transponders on an occasional basis for "backhaul" when it needs to supplement its full-time capacity. Thus, the use of C-band

capacity is crucial to the origination and distribution of the ABC Television Network's programming.

And, while Alcatel speculates that perhaps demand for C-band satellite capacity may decline in the future, that is certainly not the case with regards to ABC's plans. ABC already has acquired seven full-time C-band transponders for its "second generation" network distribution system which, beginning in January 1994, will start replacing the current C-band transponders. ABC will continue to use these "second generation" satellites for at least twelve years not only as the principal means for network distribution but also to "backhaul" programming from remote locations.

ESPN is dependent upon C-band capacity, of course, to distribute its cable network programming to hundreds of cable television systems.

It is clear, therefore, that CapCities/ABC is very dependent upon use of the C-band satellite capacity in both its broadcast and cable businesses. Alcatel's proposal to reallocate 16% of the available C-band downlink spectrum by making satellite use secondary to terrestrial microwave use likely would adversely affect Capital Cities/ABC's satellite operations by precluding the ability to originate or distribute video programming in some locations. For example, when affiliates move to a different location or when affiliates are added at new locations, it might be impossible to locate an earth station so as to receive the network program feed. In light of the fact that Alcatel has made

no showing that the current frequency coordination procedures, with satellite use considered co-primary, would be inadequate to meet the needs of displaced microwave users, Capital Cities/ABC supports the position of the satellite operators and Home Box Office that the Commission should not propose to make the satellite service secondary to the fixed microwave service for any portion of the 4 GHz band.

Respectfully submitted,

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July 17, 1992

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CERTIFICATE OF SERVICE

I, Roseanne Markham, do hereby certify that true and correct copies of the foregoing document, "Reply Comments of Capital Cities/ABC, Inc.," were served by First Class United States Mail, postage prepaid, this 17th day of July 1992, on the following:

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